

Scenario Note

Five Eyes Law Enforcement Group (FELEG) Drug Enforcement Administration (DEA) Washington, DC June 15-17, 2016

Capacity:

- The RCMP is continually monitoring the evolving threat posed by fentanyl, as well as new and emerging opioids in Canada.
- The Canadian illicit market for opioids, including fentanyl, has boomed in recent years.
- Over 1019 deaths between 2009 and 2014 were attributed to fentanyl.
- The focus is to identify criminal organizations linked to the importation of pure fentanyl as well as the precursors to fentanyl to Canada.

Best Practices:

- Officer safety and awareness of the dangers associated with the drug is a critical concern. In support of raising awareness, the RCMP has published an *Officer Safety Alert* bulletins for the Canadian law enforcement community which highlights the latest known risks associated with fentanyl.

Challenges/ Gaps:

- Moving forward, efforts in relation to fentanyl should be coordinated nationally to ensure a whole of government approach. The ability to identify a source(s) at the national and international level would greatly enhance investigations; thereby identifying organizations responsible for the importation of fentanyl, similar derivatives and their precursors.
- China continues to be the common, underlying factor that has generated and facilitated illicit markets worldwide in precursor chemicals, NPS, as well as pharmaceutical products, notably fentanyl and fentanyl analogues.
- China's role in the proliferation of these illicit markets, and associated spiralling rates of opioid-related overdoses and overdose deaths, remains a heightened concern and challenge for the RCMP, and all Canadian law enforcement and government partners.
- The cyber dimension itself carries multiple-layer challenges. Internet retailers, including those based in Canada, promote NPS as research chemicals with covert marketing for recreational use. While unregulated substances are often marketed as "legal" substitutes for illegal drugs with similar effects, many websites show their complicity in selling controlled substances by guaranteeing shipments in the event that a package is intercepted; advertising packaging that will deter detection; and, by not requiring permits or other forms of authorization to purchase these substances.
- The rate of production, marketing, smuggling and trafficking of these substances do not appear to be significantly impacted by the existence of controls in the consumer country. The fentanyl situation is a prime example.
- While Chinese authorities have shown some will to mitigate some of these activities through the implementation of more domestic regulations,

Recommendations:

- That there be enhanced collaboration in the identification of source countries of fentanyl in order to build international intelligence and enforcement capacity to stop the production and shipment of these substances.
- That a comprehensive approach is taken to address the illicit opioid problem in Canada, including the support of obtaining additional tools/powers for law enforcement, such as:
 - the regulation (Federal) of pill presses being used for the production of fentanyl and other illicit opioids;
 - the strengthening of penalties for offences in the *Controlled Drugs and Substances Act* and *Regulations* to a level similar for the production of other illicit drugs (e.g. MDMA); and,
 - the timely scheduling of new and emerging illicit opioids (as proposed in Bill C-70, June 2015), in order to empower law enforcement and border authorities to seize them before they make their way into Canadian communities.

The Evolving Fentanyl Threat - Canadian Situation

- While domestically-sourced licit fentanyl traditionally has comprised the bulk of the drug's supply at the street level in Canada, illicit fentanyl products have rapidly emerged and proliferated across the country only in the last three years. This is dramatically reflected in the exponential increase in illicit fentanyl-related border detections and domestic seizures and most notably, in unprecedented incidence rates of user overdoses and overdose fatalities.
- While prescription fentanyl (mostly transdermal patches) diverted from domestic supply sources has significantly increased and continues to be an important part of the threat picture, the game changer has involved powdered fentanyl and fentanyl analogues procured from China via the Internet. Once these shipments reach Canada, powder quantities are either converted into tablets or repurposed for street sale.
- First disguised as OxyContin pills (removed from the legitimate pharmaceutical market in 2012) and in powder form used as a supplement or substitute for other illicit drugs, mainly heroin, availability of illicit fentanyl has spread from West to East, increasingly so over the last year.
- The incidence of primary fentanyl synthesis in Canada has appeared to be low-level compared to the growing prevalence of illicit tableting labs. However, recent increased and larger seizures of fentanyl are potential indicators of more primary fentanyl production within the country.

Illicit Opioid Market – Fentanyl and Beyond

- While fentanyl and fentanyl analogues originating in China continue to pose a high level threat, the illicit opioid market writ large, is evolving at an alarming rate and is significantly raising the threat level.
- Non-fentanyl, non-prescription opioids began to appear last year in Alberta, first in tablet form in what was thought to be a fentanyl seizure and then in powder form as part of a tableting operation (clan lab) takedown. W-18, which is purported to be 100 times more potent than fentanyl, was developed as part of a series of W compounds by a team of scientists at the University of Calgary in the 1980s with the goal of producing non-addictive opioids based on the structure of morphine. The drugs were patented but never marketed for human use. At least one death in Canada has been attributed to W-18 as a contributing factor.
- W-18 is but another new psychoactive substance (NPS) that is a result of China-based entities that deliberately seek out off-patent /obscure chemical formulas to produce a range of recreational synthetic drugs, including variations of amphetamines and opioids.

- As the situation continues to evolve, there is a range of other non-fentanyl opioids that are being closely monitored for their emergence in the Canadian illicit market. Canadian authorities confirmed that two recent overdoses, one fatal, in Quebec were linked to the consumption of another non-fentanyl opioid, U-47700, also procured from China through the Internet.
- On June 1, 2016, Health Canada published in the *Canada Gazette*, Part II, intentions to regulate W-18, as well as two other opioids, MT-45 and AH-7921 (regulating the latter two opioid substances meets Canada's obligations as a signatory to the UN Single Convention On Narcotic Drugs, 1961) under Schedule 1 of the Controlled Drugs and Substances Act. The regulations come into force 180 days from this date.

Five Eyes Partner Countries

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